

## REMARKS

Claims 14-21 and 44-57 are currently pending. Claims 1-13 and 22-43 have been cancelled, claims 44-57 have been added, and claim 14 has been amended.

The Examiner rejected claims 14-17 and 21 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,163,350 (“Groswith”).

Amended claim 14 defines a punch for punching a workpiece. The punch includes a four bar linkage that includes at least four members. At least one punch element is operably associated with a drive surface defined by a first member of the linkage. Upon actuation of the linkage, an arcuate motion of the drive surface drives the punch element to punch a hole in the workpiece. The arcuate motion of the drive surface is described on page 26, paragraph 88 and is illustrated in Fig. 13. Specifically, the specification notes “a drive surface 600 of drive member 512 moves arcuately. . . .” *Specification, page 26, para. 88.*

Groswith fails to teach or suggest, among other things, at least one punch element operably associated with a drive surface defined by a first member of the linkage, wherein the drive surface moves in an arcuate fashion to drive the punch element.

Rather, Groswith discloses a punch binding apparatus 10 that includes a four-bar linkage 32 attached to a lever arm 17, a punch blade 26, and a vertical plate 27. The four-bar linkage 32 includes a coupler plate 33, a link 34, and a short link 35. The coupler plate 33 includes a first point C connected to the link 34 which in turn is connected to a lever support extension 38. The short link 35 is connected to a second point E on coupler plate 33 and pivotally attaches at point B to the vertical plate 27. A third point D on the coupler plate 33 is a pin that connects to a punch blade 26 and extends through a vertical slot 41 in the vertical plate 27. As clearly shown in Fig. 18, when the lever arm 17 moves downwardly, point D

moves vertically downward in a straight line within vertical slot 41 to drive the punch blade 26 vertically downwardly. Thus, Groswith teaches a mechanism in which the drive surface (Point D) moves in a linear fashion to drive the punch member (the punch blade 26). In fact, Groswith states “[v]ertical slots 41 and 41’ allow for passage of pins representing point D therethrough so that the pin and the punch plate attached thereto move vertically in a straight line.” *Col. 6, lines 31-34.*

In light of the foregoing, Groswith does not teach or suggest each and every limitation of claim 14. As such, claim 14 is allowable over Groswith. In addition, claims 15-21 and 44-46 depend from claim 14 and are allowable for these and other reasons.

The Examiner rejected claims 14-21 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,921,487 (Otsuka”) in view of Groswith.

Amended claim 14 defines a punch for punching a workpiece. The punch includes a four bar linkage that includes at least four members. At least one punch element is operably associated with a drive surface defined by a first member of the linkage. Upon actuation of the linkage, an arcuate motion of the drive surface drives the punch element to punch a hole in the workpiece.

Otsuka does not teach or suggest, among other things, at least one punch element operably associated with a drive surface defined by a first member of the linkage, wherein the drive surface moves in an arcuate fashion to drive the punch element. Rather, Otsuka discloses a perforator that includes a perforated plate 8 adapted to receive a plurality of spaced punching rods 7. A rod guide member 12 receives the punching rods and guides them along a linear path. A rod actuation member 24 engages the punching rods 7 and moves along a linear path defined by the punching rod guide member extension 12’’ to punch paper held in

the punch. Thus, Otsuka does not include a drive surface operably associated with the punching rods and movable in an arcuate fashion to drive the punching rods and punch a hole in a workpiece.

Groswith does not cure the deficiencies of Otsuka. As discussed with regard to the 35 U.S.C. §102 rejection, Groswith does not teach or suggest, among other things, at least one punch element operably associated with a drive surface defined by a first member of the linkage, wherein the drive surface moves in an arcuate fashion to drive the punch element. Rather, Otsuka discloses a linkage that is arranged to assure that the drive surface moves along a linear path.

In light of the foregoing, Otsuka and Groswith, alone or in combination do not teach or suggest each and every limitation of claim 14. As such, claim 14 is allowable. In addition, claims 15-21 and 44-46 depend from claim 14 and are allowable for these and other reasons.

New claims 47-57 include limitations similar to those discussed with regard to claim 14. As such, new claims 47-57 are also allowable.

### CONCLUSION

In light of the foregoing, Applicants respectfully submit that claims 14-21 and 44-57 are allowable.

The undersigned is available for telephone consultation during normal business hours.

Respectfully submitted,



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